

REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-44 remain pending. Claims 1, 9, 15, 21 and 28 are independent.

§ 103 REJECTION – SAKAEGI, KATAGIRI

Claims 1-5, 9-12, 15-17 and 35-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaegi et al. (USP 6,266,083) in view of Katagiri (USP 6,839,086). *See Final Office Action, items 12-25.* Applicant respectfully traverses.

Independent claim 1 recites, in part “a controller electronically controlling the memory and movement of the lens groups, the controller having program logic defining a plurality of operation modes, the logic upon power initiation determining an operation mode, and if the mode is determined to be an image recording mode, the logic causing the controller to commence moving the lens groups to initialization positions and perform initialization processing for enabling image recording, and after completion of the initialization processing for enabling image processing, upon receipt of a command for photographing generated by a shutter being pressed, control the memory to store data in accordance with the electronic information presently available from the image sensor before the lens group have arrived at the initialization positions.” As recited, photographing that is initiated by the shutter being

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pressed can take place before the lens group having arrived at the initialization positions.

In the Final Office Action, the Examiner appears to be alleging that in the cited references, the display of the camera displays images on the monitor of the camera even when the camera lenses are moving. However, in the invention as claimed, the images are “photographed”, by pressing the shutter button, during the movement of the lenses. Neither Sakaegi nor Katagiri teaches or suggests this feature. Accordingly, claim 1 is distinguishable over the combination of Sakaegi and Katagiri.

Independent claim 9 recites, in part “after completion of initializing the image sensing system, upon receipt of a command for photographing generated by a shutter being pressed, recording an electronic information representing the image presently available from the image sensing system prior to the lens groups arriving at the initialization positions.” As recited, photographing that is initiated by the shutter being pressed can take place prior to the lens group having arrived at the initialization positions. Neither Sakaegi nor Katagiri teaches or suggests this feature. Accordingly, claim 9 is distinguishable over the combination of Sakaegi and Katagiri.

Independent claim 15 recites, in part “wherein when the controller receives instructions for photographing generated by a shutter being pressed during a movement of the plurality of lens groups from a first predetermined position to a second predetermined lens position, the controller controls the

image sensor to sense the image prior to the plurality of lens groups have completed their movements to the second predetermined lens position for recording the image data into the non-volatile memory.” As recited, photographing that is initiated by the shutter being pressed can take place prior to the plurality of lens groups having completed their movements to the second predetermined lens position. Neither Sakaegi nor Katagiri teaches or suggests this feature. Accordingly, claim 15 is distinguishable over the combination of Sakaegi and Katagiri.

Claims 2-5, 10-12, 16-17 and 35-40 depend from independent claims 1, 9 and 15 directly or indirectly. The dependent claims are distinguishable on their merit as well.

In addition, Applicant challenged the Examiner on taking Official Notice regarding the rejection of claims 11 and 17 and requested that valid prior art reference be provided. The Examiner failed to do so in this Final Office Action. Applicant once again requests the Examiner to provide the valid prior art references that allegedly teach the features as recited.

Applicant respectfully requests that the rejection of claims 1-5, 9-12, 15-17 and 35-40 based on Sakaegi and Katagiri be withdrawn.

§ 103 REJECTION – SAKAEGI, KATAGIRI, HIRASAWA

Claims 6-8, 13-14 and 18-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sakaegi in view of Katagiri and in further view of

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Hirasawa (US Patent No. 5,424,776). *See Final Office Action, items 26-30.*

Applicant respectfully traverses.

Claims 6-8, 13-14 and 18-20 depend from independent claims 1, 9 and 15, directly or indirectly. It is demonstrated above that claims 1, 9 and 15 are distinguishable over the combination of Sakaegi and Katagiri. Hirasawa is not relied upon to cure the above-noted deficiencies of Sakaegi and Katagiri. Therefore, claims 1, 9 and 15 are distinguishable over the combination of Sakaegi, Katagiri and Hirasawa. Then for at least due to the dependency thereon, claims 6-8, 13-14 and 18-20 are also distinguishable over the combination of Sakaegi, Katagiri and Hirasawa.

In addition, Applicant challenges the Examiner's Official Notice that the features of dependent claims 7 and 19 are well known. Applicant respectfully requests the Examiner to provide the valid prior art references that allegedly teach the features as recited.

Applicant respectfully requests that the rejection of claims 6-8, 13-14 and 18-20 based on Sakaegi, Katagiri and Hirasawa be withdrawn.

§ 103 REJECTION – KATAGIRI

Claims 21-34 and 41-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Katagiri. *See Final Office Action, items 31-38.* Applicant respectfully traverses.

Independent claim 21 recites, in part “wherein when the controller receives instructions for photographing generated by a shutter being pressed during a movement of the plurality of lens groups from a first predetermined position to a second predetermined lens position, the controller controls the image sensor to sense the image prior to the plurality of lens groups have completed their movements to the second predetermined lens position for recording the image data into the non-volatile memory.” As recited, photographing that is initiated by the shutter being pressed can take place prior to the plurality of lens groups having completed their movements to the second predetermined lens position. Katagiri does not teach or suggest this feature. Accordingly, claim 21 is distinguishable over Katagiri.

Independent claim 28 recites, in part “storing the image to a non-volatile memory accessible by the camera before the movement of the plurality of lens groups from the first predetermined position to the second predetermined position is completed when it is determined that the instruction for photographing generated by a shutter being pressed is received.” As recited, the photographed image that is initiated by the shutter being pressed can be stored before the plurality of lens groups have completed their movements to the second predetermined lens position. Katagiri does not teach or suggest this feature. Accordingly, claim 28 is distinguishable over Katagiri.

Claims 22-27, 29-34 and 41-42 depend from independent claims 21 and 28 directly or indirectly. Then for at least due to the dependency thereon, these dependent claims are also distinguishable over Katagiri.

Applicant respectfully requests that the rejection of claims 21-34 and 41-42 based on Katagiri, be withdrawn.

§ 103 REJECTION – KATAGIRI, SAKAEGI

Claims 43 and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Katagiri in view of Sakaegi. *See Final Office Action, items 39-40.* Applicant respectfully traverses.

Claims 43 and 44 depend from independent claims 21 and 28, respectively, and it is demonstrated above that claims 21 and 28 are distinguishable over Katagiri. Sakaegi is not relied upon to correct for at least the above-noted deficiencies of Katagiri. Therefore, claims 21 and 28 are distinguishable over the combination of Katagiri and Sakaegi. Then for at least due to the dependency thereon, claims 43 and 44 are also distinguishable over the combination of Katagiri and Sakaegi.

Applicant respectfully requests that the rejection of claims 43 and 44 based on Katagiri and Sakaegi be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: August 16, 2006

Respectfully submitted,

By 

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